

**REMARKS**

Favorable reconsideration of this application is requested in view of the following remarks. Of claims 1-16 that were pending, claims 1-4 and 7-16 were rejected in the Office Action. The allowance of claims 5 and 6 is noted with appreciation. No claims have been amended, canceled or added. Accordingly, claims 1-16 are respectfully resubmitted for further consideration.

Claims 1-4 and 7-16 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious when considering DE 42 27 780 ("Prinz") in view of U.S. Patent No. 5,908,222 ("Wier"). Applicants respectfully traverse this rejection because the references fail to disclose, teach or suggest the claimed invention.

The Examiner contends that it would have been obvious to one of ordinary skill to replace Prinz's cylinder 20 with Wier's tube 10 and to replace Prinz's piston 22 with Wier's piston 12, "to provide a sturdy, efficient and effective pretensioner with locking ability." Office Action at p. 4. The Examiner, however, has failed to identify any teaching in the prior art to support this assertion. Moreover, whereas Prinz does not teach, disclose, or suggest any shape of the cylinder 20 other than linear, Wier teaches, in the embodiments of Figures 1A and 1B, that the piston 12 always initially travels through a curved portion of the tube 10. See col. 2, lines 40-43. As a result, replacing Prinz's cylinder 20 with Wier's tube 10 would entail moving the piston through a curved portion. In contrast, claims 1 and 10 recite that the piston is "configured to move only within the linear portion." Accordingly, even if one of ordinary skill in the art were motivated to combine Prinz and Wier, the resulting structure would not read on the invention recited in claims 1 and 10.

For at least the aforementioned reasons, the combination of Prinz and Wier fails to disclose, teach, or suggest each of the limitations of independent claims 1 and 10. Accordingly, the rejection of claims 1 and 10 should be withdrawn. Moreover, as claims 2-4, 7-9, and 11-16 depend from either claim 1 or claim 10, each of these dependent claims is also allowable over the combination of Prinz and Wier, without regard to the further patentable limitations contained therein. Accordingly, a withdrawal of the rejections of claims 1-4 and 7-16 is both warranted and earnestly solicited.

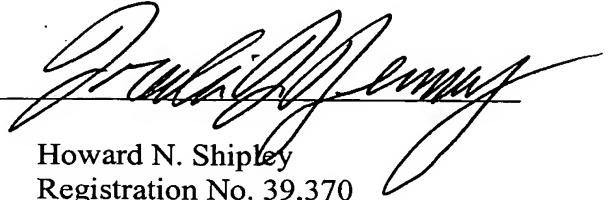
**CONCLUSION**

For the aforementioned reasons, claims 1-16 are now in condition for allowance. A Notice of Allowance at an early date is respectfully requested. The Examiner is invited to contact the undersigned if such communication would expedite the prosecution of the application.

Respectfully submitted,

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THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED REGARDING THIS APPLICATION UNDER 37 C.F.R. §§ 1.16-1.17, OR CREDIT ANY OVERPAYMENT, TO DEPOSIT ACCOUNT NO. 19-0741. SHOULD NO PROPER PAYMENT BE ENCLOSED HEREWITH, AS BY A CHECK BEING IN THE WRONG AMOUNT, UNSIGNED, POST-DATED, OTHERWISE IMPROPER OR INFORMAL OR EVEN ENTIRELY MISSING, THE COMMISSIONER IS AUTHORIZED TO CHARGE THE UNPAID AMOUNT TO DEPOSIT ACCOUNT NO. 19-0741. IF ANY EXTENSIONS OF TIME ARE NEEDED FOR TIMELY ACCEPTANCE OF PAPERS SUBMITTED HEREWITH, APPLICANT HEREBY PETITIONS FOR SUCH EXTENSION UNDER 37 C.F.R. § 1.136 AND AUTHORIZES PAYMENT OF ANY SUCH EXTENSIONS FEES TO DEPOSIT ACCOUNT NO. 19-0741.